

**LeRoy Township Zoning Commission**  
**June 12, 2017**  
**Working Session Meeting Minutes**

Meeting called to order at 7:00 p.m.

**Members Present:** Dennis L Keeney, Anthony Falcone, Tom Gabor, and Secretary, Julie Himmelman

**Absent:** Ted Hach, Jr., and Rob Coulter

**Guests:** Attorney for the township, Ron Graham; Zoning Inspector Myron Telencio; Assistant Zoning Inspector Shawn Parker; BZA members Brian Crouse, Susan Hanna and Rudy Veselko, Trustee Heather Shelton, and Dave Radachy from Lake County Planning Commission

**Audience:** Rodney Shelton

**Minutes:** The minutes from the May 8, 2017 meeting were read. Motion to accept by Tom Gabor, seconded by Anthony Falcone. All present accepted.

**Correspondence:** There was no correspondence.

**Zoning Reports: Myron Telencio and Shawn Parker**

- **BZA meeting:** There will be a hearing on Tuesday, June 13, 2017 for a riparian setback and house-size variance.
- **Mar Farms:** Myron will have an official inspection of the Mar Farms property on Tuesday, June 13, 2017. He will turn over his findings to the court.
- **Sugar Lake:** the owner is starting his applications to set up residence. Heather asked what needs to be done for the owners to get the second residency. Myron stated that the BZA approved the owner to have a second residence with proper permits. Dennis believed that the idea was to keep the property intact and that a primary residence and a caretaker residence was approved. Myron stated that the conditional use permit was for the park, not for two residences on one lot, which would require a variance. Ron Graham confirmed this and stated that he would discuss this with Myron.

Ron stated that there were concerns about some of the events Sugar Lake had held that may not be within the Conditional Use Permit (CUP). Ron indicated that if the owner does not comply, the BZA could revoke their CUP. Ron stated that the owner would have to get a zoning certificate for any residence, a building permit and the fire department to approve any indoor event that he has because he has not yet installed a sprinkler system.

Dennis read part of Myron's letter to Sugar Lake outlining the CUP and part of the minutes from the conditional use hearing and asked how the property could have two residences without splitting the lot. Dave Radachy responded that it may not be able to, since the township's regulation require single family homes be on their own lot. Mr. Radachy stated that just because the Conditional Use granted stated there may be a main residence and a caretaker residence on the property formerly zoned for weekend and

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week-long girl scout camping, it does not mean they do not have to comply with residential zoning regulations.

Dave Radachy pointed out that the owner could ask for a split regardless of the CUP and he would grant it. Ron stated that the owner would need to apply for a variance, if he would like to have two residences on one property.

Rudy Veselko stated his concern for splitting off the 3-acre lot and asked what can be done to keep the property intact. Dave Radachy answered that the zoning regulation code could be revised or a variance could be granted.

Heather pointed out that in the past, the owner has indicated that he wants to use the main lodge for events and at other times said he wants to use the lodge for a family residence. She feels that if he turns it into a home, then he could not use it for events. Dennis agreed. She stated that she wants the owner to succeed but feels he has to make a plan and be direct.

Heather asked about an advertised event to be held on Wednesday, June 14, 2017. There was concern that it would be in violation of the CUP. Ron stated that Myron wrote a very strongly worded email stating that he had concerns about the owner doing things he may not be able to do and that the owner needed to keep Myron apprised of what he was going to do. The owner replied by email that he would probably cancel the event.

Dennis asked what the owner was doing that he should not be doing. Ron replied that the owner talked about having entertainment there. He felt that with the owner's limitations of no amplified outside music and a maximum of 100 people indoors, he would need to inform the zoning inspector of his plans to assure compliance. Ron and Myron want the owner to conform with the health, building and fire departments and that if he fails to do so they will ask the BZA to revoke his CUP.

Ron feels that the owner is not being upfront with the township about what he is doing concerning events he plans to hold. He stated that when they grant a conditional use, the township has a vested interest in making sure the owner is in compliance. It is Ron's opinion that the fire department, the sheriff's office, and the zoning inspector need to confirm the owner is in compliance.

Dennis asked what the owner is required to do to hold an event and how an event was determined to be a public event. Myron answered that a private event was by invitation only and a public event was advertised to the public. Myron stated that if Sugar Lake advertises an event, it is public and they must state whether it is an indoor or outdoor event and he must have security there.

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Concerns were voiced that the owners do not inform the township and county of planned events and other actions. Ron stated that he feels everyone wants Sugar Lake to succeed, but the owner must comply with the rules.

- **BP/Subway** Myron reported that the changes are on hold. The gas pumps on the southern side were not approved by the BP Corp. yet. Myron suggested those gas pumps be removed from the site plan and to just deal with the Subway. Dennis stated that the owner and his engineer would need to go over the Site Plan Checklist to make sure everything is addressed before setting a site plan review. Myron will review the checklist and plans and if it is applicable, he will forward it to Dennis.
- **Jodi Drive Zoning violation:** Sean has not heard back from the owners. He will check with the health department to see where they are.

**Old Business:**

- **Comprehensive Plan update with Dave Radachy:** Sections 1, 2, and 3 are informational sections. Dennis asked if there was anything in those sections from 2005, that are no longer relevant. Dave stated he was changing references concerning “five-points” to “roundabout” as he finds them. He did not write the history, but found some errors that need to come out. Demographics were from 2013.

Section 5 - Transportation: Bike and pedestrian access was discussed. Dennis feels that in 5.2 the roads should be broken down in total by which government entity maintains them and what services each are responsible for. Leroy Center Road at Hell’s Hollow was discussed. Dave brought up the American Youth Hostel cycle route across the country which crosses the township at Carter, Paine, and Ford Road. There is a potential for tourism and Dennis agreed it should be mentioned in Goals and Objectives.

Section 6 – Housing: A point of error was found in 6.2 regarding the identified periods. Most Active Decades. A point of error was found in 6.4 as well. Discussion was held concerning the township’s desire to allow accessory dwelling on lots. Dave read section 6.17 from the 2005 plan and stated that the blood-relative restriction must be removed. Dennis decided to leave accessory dwellings as a goal for discussion. 6.6 - Affordable Housing and Multi-Generational Housing were discussed and it was decided to leave it as a discussion item and add to objectives the definition of accessory unit, duplex and in-law suite.

Public facilities: Dave will get with Riverside School District to figure out what they will do with the Leroy Elementary School building once it is closed.

Parks, Recreations and Historical Buildings were discussed. Moving the Road Department and putting in a small park was discussed as an objective.

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The Sheriff Substation Objective, and Expansion of the Community Center were removed.

Utilities: The limited prospect of sewers and treatment facilities were discussed. Cell Tower rights-of-way were discussed. Dennis stated that the township can legislate the township roads and it should be added to the plan.

- Dave Radachy will make the discussed changes and added objectives. Sections 4, 9 and 10 are missing. Anthony has a few items he will discuss with Dave, who invited the Commission members to come and speak with him as needed.
- Myron and Sean reviewed both of their Home Occupation application forms. Heather asked if the commission had comments on the finalized applications. Since they had not seen it, Heather asked Myron to send the final copy to the commission members for their information.

**New Business:**

- **Section 16 R-3** Myron suggested the following changes on the proposed R-3: Under Standards for Home Occupation Type II, Subsection 5, the phrase “unless additional spaces are required by the BZA” should be removed. Under Home Occupation Type 1 of 16.04.01, Section D, Day care for 6 or fewer individuals should be removed. Both were agreed to by the commission.  
After discussion, it was agreed to move from Use Regulation to Standards for Home Occupation Type I, the limitation of one automobile, truck or van, used primarily for customary home occupation and its corresponding conditions. It was also agreed, to allow up to three trucks and/or vans in Standards for Home Occupation Type II, with the condition that those over 10,000-pounds Gross Vehicle Weight must be stored in enclosures or behind screening.
- **Set-back minimums and driveway access** were discussed.
- Next meeting will be September 11, 2017.
- Anthony Falcone moved to closing the meeting and Tom Gabor seconded. All were in favor.
- The meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Julie Himmelman  
Zoning Secretary